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Mr. Secretary

Longtime Alumni Association officer

Robert C. Schaus receives Jaeckle Award

Robert C. Schaus '53, recipient of the Jaeckle Award for 1992, was honored at the award ceremony as a man of integrity, energy and unshakable character.

Schaus, recently retired from his family law firm in Buffalo, has served as secretary of the UB Law Alumni Association for 30 years. He was presented with the coveted award — UB Law School's highest honor — by university President William Greiner following the Convocation program on March 7.

"What words would I use to describe Bob Schaus?" Greiner asked. "One is family — his own, and the larger family of the Law School and the Law Alumni Association. His dedication to that has been absolutely astounding.

"The other word is fidelity. You take a word that would epitomize Bob Schaus, and it's fidelity, loyalty, commitment. In his own way he's been Mr. UB Law School, Mr. Law Alumni Association for so long."

"In my wildest dreams, I never expected this," Schaus responded.

"I should not be receiving this award, I should be giving it. I am the luckiest guy in the world. For 30 years I've been in the catbird seat."

Schaus was just eight years out of law school when he was asked in 1961 by then Dean Jacob D. Hyman to help revitalize the Law Alumni Association in preparation for the Law School's 75th anniversary celebration. A quarter-century later, Schaus



Alumni Association President Jean C. Powers '79 congratulates Jaeckle Award winner Robert C. Schaus '53.

made a major contribution to another anniversary celebration — the 100th — by co-writing, with James Arnone '85, a comprehensive history of the Law School. The book is expected to be published this summer.

"For well over 30 years, Bob has given completely and unselfishly of himself to the Association and to the school," said Dean David B. Fil-

varoff. "Much of what is good about the Law School today would not exist but for the help, friendship and effort of Bob Schaus."

Justice M. Dolores Denman, last year's Jaeckle Award winner and presiding justice of the Appellate Division, State Supreme Court, Fourth Department, grew up in the same North Buffalo neighborhood as

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Schaus. She recalled that they went to the same church and shared many of the same friends. He played basketball and football at Canisius High School, and "I remember him in those days as sort of a high school hero," she said.

Denman also recounted Schaus' continuing love of athletics — from daily racquetball matches to marathon running (for many years he ran home from the office, a distance of eight miles) to mountain biking.

"The alumni are very indebted to you, Bob," Denman said to the honoree. "You're the kind of lawyer, the kind of alumnus we hope everyone would be."

Schaus and his wife, Joan, have eight children, three of whom — John '83, Richard '85 and Barbara '90 — are UB Law School graduates.

In accepting the Jaeckle Award, Schaus pointed with pride to three areas in which the Alumni Association has contributed to the school and the professional life of alumni practitioners:

- * Building up the Association's annual dinner, to the point where it now attracts more than 400 people.

- * Establishing and running a successful and highly regarded annual convocation.

- * Hiring of an executive director for the Association, and publication of the award-winning magazine UB Law Forum.

Among his next goals for the Association are hiring a coordinator for alumni reunions and arranging for publication of an annual yearbook. He cited the historical value such yearbooks have for archivists and other researchers.

Named for UB alumnus Edwin F. Jaeckle, Class of 1915, the Jaeckle Award is given annually to an individual who has distinguished himself or herself and has made significant contributions to the Law School and the legal profession. ■

management, she said, to make it clear what constitutes sexual harassment, and state that it won't be tolerated.

Nickson said managers who think they don't have a problem may just be blind to it. "There's limited awareness at the top," she said. In addition, "targets" of sexual harassment often don't speak up, out of fear of retribution, ignorance of company policy, or distrust of the complaint-handling process.

But employers, Nickson said, can't promise confidentiality to a complainant. They have to ensure due process for the person being accused, and that means interviewing him about the charge. The best an employer can offer, she said, is discretion and fairness.

"It's easier to write these rules than to apply them," Nickson said.

She pointed out that some organizational cultures support sexual harassment — they may allow swearing and extensive after-hours socializing, or they may tolerate improper behavior on business trips. Nickson told of a young man in admissions who had charged sexual harassment after a female supervisor "chased him around the hotel" during a business trip. "It's not about sex, it's about power," Nickson said.

She concluded with some simple tests for deciding whether an action constitutes sexual harassment.

"Would you say it in front of your mate?" said asked. "Would you say it if it would appear on the front page of the newspaper? Would you say it to a member of the same sex in exactly the same way?"

"And why does it need to be said in the course of business?"

The final speaker came at the problem from the other side. Robert A. Doren, who represents management interests with the Buffalo law firm Flaherty, Cohen, Grande,

Randazzo & Doren, spoke of the need for companies to practice "damage control" in a sexual harassment case.

"In all these cases you will have credibility problems," Doren said of his management clients. "How do you go about interviewing witnesses?"

It's useful, Doren said, to try to establish a limited attorney-client privilege with potential witnesses, generally fellow employees of the accuser. This is accomplished, he said, by having the company offer the services of an attorney — the same one it's using — to employees during the questioning. Often the employees agree, Doren said, and the attorney-client privilege that is established gives the attorney access to EEOC affidavits that would otherwise be off-limits.

"The absolute worst thing an employer can do is to have a poor investigation," Doren said. "My experience is that juries won't tolerate that. ... You really have to take these investigations seriously."

If a sexual harassment case is headed for trial, Doren said, select the jury carefully. "Consider their perspective," he said. "Many will have a relative who has been sexually harassed. What was the outcome? What defenses were raised?"

In addition, he advised attorneys not to attack the complainant based on her previous romantic history, citing the case of a former topless dancer and nude model who sued Penthouse magazine publisher Bob Guccione for sexual harassment — and won.

Finally, Doren said, recognize that just because a claim is made doesn't mean it's true. "Not every harassment that's alleged is meritorious," he said. "I have had some cases, believe it or not, that were pure garbage. ... The fact that there may have been some contact between two people doesn't necessarily mean there has been sexual harassment." ■